

MEMORANDUM

TO: WNYRIC Advisory Council

FROM: Jim Fregelette

DATE: June 10, 2014

RE: **Broadband Bid Update and Next Steps**

At Erie 1 BOCES Board Meeting on May 14, 2014, the WNYRIC Broadband bid was awarded to Time Warner to provide five years of service. Based on this award, the WNYRIC has begun the process of putting together the contract that will guide the relationship between Time Warner and the WNYRIC. Due to the complexity of this bid, we have retained the services of Gartner, a third party consultant known for its expertise in technology services.

As part of the contract, we will be looking carefully at the Service Level Agreement (SLA) between the WYNRIC and Time Warner. Parts of this agreement will include, but not necessarily be limited to.

- Average time to restore service based on priority level.
- Network availability or acceptable downtime per month (given in minutes)
- Acceptable latency (round trip network delay) and how often that is measured and defined
- Packet loss (loss of data sent across system vs. total amount sent)
- Network maintenance-notification and time frame (to cover routine repair)
- Service credits-based on downtime and/or performance
- Requirement of each circuit to be a minimum of 1 GB with no over-subscription on the circuit (include regular/periodic confirmation of such)
- Requirement to provide written guarantee on annual basis that all traffic on designated circuits will be private and only accessible by WNYRIC or its assigned associate
- Requirement to provide copies of cable route, superimposed on a street map
- Language addressing how any new taxes and/or regulatory service fees that may come about will be addressed
- Language to protect the WNYRIC and contents of the contract when or if another company purchases Time Warner

In addition to the contractual part of the Broadband bid, it will be important to set a process in place that ensures that the money being spent on the network is providing

the districts with the necessary tools and services that they need. The best way to do that is to have involvement from both the districts and BOCES across the region in reviewing and evaluating the effectiveness of the network. With that in mind, the WNYRIC is proposing the following process to review the network:

- 1) Quarterly reports of usage by WNYRIC will be provided identifying trends and areas of concerns on district and regional network usage.
- 2) A subcommittee of the Standards committee will be formed to review the usage reports and network issues and concerns that report to both the standards committee and the advisory council
- 3) On an annual basis a written summary report will be provided to the Standards committee and the Advisory council that will evaluate the effectiveness of the broadband program. The report can include the following: Current usage of the system; summary of open issues and concerns; projected future use by the BOCES and the districts; and projections of any future needs.
- 4) Eighteen months before the 5 years is up a committee will be convened to evaluate and create a report that will be presented to the Advisory council with recommendations on whether the contract should be renewed.
- 5) Written SLA's will be provided to the BOCES and the districts which they can sign off on detailing the service and the level of service they can expect.

If the steps above seem reasonable to the group, I would like to clean them up and put them in a format that would be more formal.

As we move toward implementing the new contract throughout the next year, the WNYRIC will be communicating what is happening and asking for your input on the processes we put in place to protect the region's interests.

I want to thank all of you for your support on this and your assistance on moving forward. Feel free to contact me at (716) 821-7100 with questions, concerns or comments about the Broadband contract.

JF/mw